

Before the
COPYRIGHT ROYALTY BOARD
LIBRARY OF CONGRESS
Washington, DC

In the Matter of)
)
)

Digital Performance in Sound Recordings)
and Ephemeral Recordings)
)
)
_____)

Docket No. 2009-1 CRB
Webcasting III

College Broadcasters, Inc.
Petition to Participate

Pursuant to the "Notice announcing commencement of proceeding with request for Petitions to Participate.", which appeared in the Federal Register on January 5, 2009, College Broadcasters, Inc. (CBI), submits its Petition to Participate. CBI is a national membership association of non-profit, student-staffed radio stations and electronic media outlets. CBI intends to fully participate in the royalty rate proceeding to determine the reasonable rates and terms for two statutory licenses, permitting certain digital performances of sound recordings and the making of ephemeral recordings for the period beginning January 1, 2011, and ending on December 31, 2015.

CBI has a significant interest in these proceedings as its members are student operated electronic college media outlets, from across the nation. Many of these members either make transmissions subject to the relevant statutes or are likely to commence transmissions in the near future. CBI has participated in the past recordkeeping proceedings by way of Comments, Reply Comments and participation in the Copyright Office "Roundtable". CBI was a party to the negotiated settlement that established certain rates and terms for specific small webcasters, pursuant to the Small Webcasters Settlement Act. *See* 68 FR 35008 (June 11, 2003). Further, CBI was a participant in the previous rate setting proceeding (2005-1 CRB DTRA).

This petition is being submitted in compliance with 37 CFR 350.2, as its undersigned attorney is a member of the bar of the State of California.

With this Petition, CBI submits the required filing fee of \$150.

Respectfully submitted,

VOGELE & ASSOCIATES

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